

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Tzvee Wood and Andrea Malester,

Plaintiffs,

-against-

Mutual Redevelopment Houses, Inc.; Penn South  
Cooperative Federal Credit Union; Penn South  
Social Services, Inc.; Carmen Santiago a/k/a  
Carmen Angelico; Brendan Keany, each in their  
professional and individual capacities; and John and  
Jane Does 1-50,

Defendants.

ANALISA TORRES, District Judge:

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19 Civ. 9563 (AT)

**ORDER**

On November 8, 2019, the Court ordered Plaintiffs to show cause by November 22, 2019, in writing, why this case should not be dismissed as duplicative of two previously filed actions.<sup>1</sup> ECF No. 4 at 3. On November 19, 2019, Plaintiffs requested an extension, until December 11, 2019, to respond to the Court's order to show cause. ECF No. 5. On November 21, 2019, the Court granted Plaintiffs' request and extended the time to respond to December 11, 2019. ECF No. 6.

On December 16, 2019, the Court dismissed the action. ECF No. 7. The Court did so on the grounds that the action was duplicative of the previously filed actions, including an ongoing action, *Wood et al. v. Mutual Redevelopment Houses, Inc. et al.*, No. 14 Civ. 7535 (S.D.N.Y. Sept. 17, 2014), and on the grounds that Plaintiffs had failed to prosecute since as of December 16, 2019, the Court was not aware of any response filed by Plaintiffs. On December 17, 2019, a letter from Plaintiffs in response to this Court's order to show cause, dated December 11, 2019, was entered on the docket. ECF No. 8.

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<sup>1</sup> The two previously filed actions are *Wood et al. v. Mutual Redevelopment Houses, Inc. et al.*, No. 14 Civ. 7535 (S.D.N.Y. Sept. 17, 2014) and *Wood et al. v. Mutual Redevelopment Houses, Inc. et al.*, No. 18 Civ. 726 (S.D.N.Y. January 26, 2018).

Accordingly, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, the Court VACATES the December 16, 2019 order, ECF No. 7. The Court will evaluate Plaintiffs' submission and determine whether Plaintiffs have shown cause why this case should not be dismissed as duplicative of the two previously filed actions. The Clerk of Court is directed to mail a copy of this order to Plaintiffs *pro se*.

SO ORDERED.

Dated: December 18, 2019  
New York, New York



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ANALISA TORRES  
United States District Judge